

Employees are expected to avoid engaging in any conduct that creates, or gives the appearance to the public of creating a conflict of interest with job responsibilities with the school system. Although there may be other conflicts of interests, employees must follow board directives in the following areas.

A. FINANCIAL INTERESTS

An employee shall not engage in selling goods or services to the board and shall not engage in or have a financial interest, directly or indirectly, in any activity that conflicts with duties and responsibilities in the school system.

1. Contracts with the Board

An employee shall not do any of the following:

- a. obtain a direct benefit from a contract that he or she is involved in making or administering on behalf of the board, unless an exception is allowed pursuant to G.S. 14-234 or other law;
- b. influence or attempt to influence anyone who is involved in making or administering a contract on behalf of the board; or
- c. solicit or receive any gift, favor, reward, service or promise of reward, including a promise of future employment, in exchange for recommending, influencing or attempting to influence the award of a contract by the board.

An employee is involved in administering a contract if he or she oversees the performance of the contract or has authority to interpret or make decisions regarding the contract. An employee is involved in making a contract if he or she participates in the development of specifications or terms of the contract or participates in the preparation or award of the contract. An employee derives a direct benefit from a contract if the employee or his or her spouse does any of the following: (1) has more than a 10 percent ownership or other interest in an entity that is a party to the contract; (2) derives any income or commission directly from the contract; or (3) acquires property under the contract.

2. Non-School Employment

The board recognizes that some employees may pursue additional compensation on their own time. Any such employee shall not engage in the following:

- a. non-school employment that adversely affects the employee's availability or effectiveness in fulfilling job responsibilities;

- b. work of any type in which the sources of information concerning customer, client or employer originate from any information obtained through the school system;
- c. work of any type that materially and negatively affects the educational program of the school system;
- d. any type of private business using system facilities, equipment or materials, unless prior approval is provided by the superintendent; or
- e. any type of private business during school time or on school property.

The superintendent may grant prior approval for work performed under subsections d and e above if such work enhances the employee's professional ability or professional growth for school-related work. The superintendent may establish reporting procedures that require employees to notify the school system of any non-school employment.

B. RECEIPT OF GIFTS

No school employee may accept gifts from any person or group desiring to do or doing business with the school system, unless such gifts are instructional products or advertising items of nominal value that are widely distributed. No school employee may solicit or accept any gifts from any potential provider of E-rate services or products in violation of federal gifting rules.

Legal References: G.S. 14-234, -234.1; 115C-47(18); 133-32; 47 C.F.R. 54.503; FCC Sixth Report and Order 10-175

Cross References: Board Member Conflict of Interest (policy 2121)

Adopted: February 11, 1999

Amended: January 10, 2013